


JE

	Application No.		Applicant(s)	
	09/470,814		MCINTYRE ET AL.	
	Examiner		Art Unit	
	Naresh Vig		3629	

Notice of Allowability

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 29 November 2004.
2. ☒ The allowed claim(s) is/are 14-19 and 29.
3. ☒ The drawings filed on 22 December 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
ART UNIT 3629

DETAILED ACTION

This is in reference to response received on 29 November 2004 to the office action mailed on 05 November 2004 applicant has cancelled claim 39 without traverse.

Drawings

The drawings have been approved by the examiner.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank Pincelli (Registration Number 27,370) on February 7, 2005.

After the examiner's amendment, claims 1 – 3, 33 and 35 – 38 have been cancelled. There are 7 claims, claims 14 – 19 and 29 pending for examination.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

In claim 14, applicant claims a method of permitting access by a pre-determined group of users to electronically stored images where:

each pre-determined group of users in an event is provided with a transaction card selected from related set of cards with machine readable URL printed on it.

after processing the film, images are electronically scanned and uploaded to the network photoservice provider identified by URL

uploaded images can be accessed by any member of the pre-determined group of users holding the transaction card, where each user is provided with a password associated with the particular cardholder's card.

In claim 15, applicant claims a method of permitting access by a pre-determined group of users to electronically stored images where:

each pre-determined group of users in an event is provided with a transaction card selected from related set of cards with machine readable URL printed on it.

after processing the film, images are electronically scanned and uploaded to the network photoservice provider identified by URL

uploaded images is accessed by a particular user only the stored images associated with that user's unit card

particular user designating for access to all cardholders in the pre-determined group only those images selected by the particular cardholder for release to said event share memory image storage location

images can be accessed by any member of the pre-determined group of users holding the transaction card, where each user is provided with a password associated with the particular cardholder's card.

In claim 29, applicant claims a method of permitting access by a pre-determined group of users to electronically stored images where:

each pre-determined group of users in an event is provided with a transaction card selected from related set of cards with machine readable URL printed on it.

after processing the film, images are electronically scanned and uploaded to the network photoservice provider identified by URL

uploaded images is accessed by a particular user only the stored images associated with that user's unit card

particular user designating for access to all cardholders in the pre-determined group only those images selected by the particular cardholder for release to said event share memory image storage location

images can be accessed by any member of the pre-determined group of users holding the transaction card, where each user is provided with a password associated with the particular cardholder's card

in the event that a user fails to designate images for access to all card holders within a predetermined period of time, access to all images is granted to all cardholders.

Prior art teaches:

- (i) subscribers can drop film and any participating retail outlet
- (ii) film processed can be electronically scanned and uploaded to user specified AOL account.
- (ii) photos can be arranged in personal photo albums (e.g. event) and emailed to others (designating what images to be shared with others).

Prior art does not teach:

electronically scanned images are uploaded to a event specified URL specified in the transaction cards given to users in an event, and, allows users with the transaction card access the images using their unique password which is provided on the transaction card.

allowing the owner of the photo film to designate which electronically images can be accessed by other users who have the transaction card given to them in the event.

when the owner of the photo film to does not designate which electronically images can be accessed by other users in a predetermined time, all images are given access to user who have the transaction card given to them in the event


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Naresh Vig
Patent Examiner
February 7, 2005



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800